

REMARKS

This Amendment is filed in response to the Office Action mailed on June 14, 2005. All objections and rejections are respectfully traversed.

Claims 1 to 26 are in the application and currently pending.

At paragraphs 1-2, of the Office Action claims 1-26 were rejected under 35 U.S.C. § 102(e) as being unpatentable in view of Salama et al., US Patent No. 6,584,093, issued on June 24, 2003, hereinafter Salama.

The present invention, as set forth in representative claim 1 comprises in part:

1. A system adapted to distribute route selection in an implementation of a routing protocol executing on a router of a computer network, the system comprising:

a first process of the routing protocol configured to receive announced paths from peers of the router and *perform a first stage of route selection to select partial best paths*;

a second process of the routing protocol configured to perform a second stage of route selection to select best paths in response to the partial best paths forwarded by the first process, the second process further configured to send the selected best paths to the first process for announcement to the peers.

By way of background, Salama describes an apparatus for routing calls in a network. The apparatus uses a routing node to advertise its access to a range of addresses in a wide area network along with costs of access. The adjacent nodes to the routing node, in response to the advertisements, insert entries into their routing table along with the cost

for access. The adjacent node also determines the cost of a connection. When a call is addressed to a destination address in the range of addresses, the apparatus uses the routing table to determine the lowest combined cost for the connection.

In sharp contrast, Applicant uses *a first process of the routing protocol ... to perform a first stage of route selection to select partial best paths and a second process of the routing protocol configured to perform a second stage of route selection to select best paths in response to the partial best paths forwarded by the first process*. Salama is silent concerning a first and second process as claimed by applicant. Salama only discloses using a combined cost. That is, Salama has no disclosure of a first process to perform a first stage of route selection and a second process to perform a second stage of route selection.

The Examiner argues that Salama at Col. 9 lines 8-10 shows the first processor.

Col. 9 lines 8-10 states:

“Advertises the accessibility of IP telephony addresses and the costs associated with access to the destinations available through each route.”

The Examiner argues that Salama at Col 27 lines 23-24 shows the second processor.

Col. 27 lines 15-39 states:

“19. An inter-domain call routing system comprising:
a plurality of autonomous systems (ASes),
each AS being coupled to at least one other AS of the plurality,
at least one AS comprising a routing agent with a routing table;
a first AS of the plurality of ASes comprising a gateway operable to access a first set of addresses, and
a second AS of the plurality of ASes disposed adjacent the first AS;

...
responsive to the first message, the routing agent of the first AS operable to:
insert an entry into its routing table to associate the address of the gateway, access to the first set of addresses and the respective cost value, form a second message by incrementing the cost value of the first message, and
send the second message to the routing agents of ASes adjacent to the first AS....”

In reference to the above statements, Salama is silent concerning the two stage process of Applicant’s claimed invention for determining the best path. The statements argued by the Examiner do not show using a two stage process, but instead a system using multiple routers to send a message at the lowest combined cost.

Applicant respectfully urges that the Salama patent is legally precluded from anticipating the claimed invention under 35 U.S.C. §102 because of the absence from the Salama patent of Applicant’s *a first process of the routing protocol ... to perform a first stage of route selection to select partial best paths* and *a second process of the routing protocol configured to perform a second stage of route selection to select best paths in response to the partial best paths forwarded by the first process.*

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Shannen C. Delaney", is written over a horizontal line.

Shannen C. Delaney

Reg. No. 51,605

CESARI AND MCKENNA, LLP

88 Black Falcon Avenue

Boston, MA 02210-2414

(617) 951-2500